

yw



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/642,857	08/18/2003	Gregory Andrew Roy	G&C 30566.17-US-C3	3664

7590 03/11/2005

Attention of Jason S. Feldmar  
 Gates & Cooper LLP  
 Howard Hughes Center  
 Suite 1050, 6701 Center Drive West  
 Los Angeles, CA 90045

EXAMINER
----------

NGUYEN, PHU K

ART UNIT	PAPER NUMBER
----------	--------------

2671

DATE MAILED: 03/11/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 10/642,857	<b>Applicant(s)</b> ROY ET AL.	
	<b>Examiner</b> Phu K. Nguyen	<b>Art Unit</b> 2673	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
  - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
  - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
  - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 19 August 2003.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-21 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

*Phu K. Nguyen*  
**PHU K. NGUYEN**  
**PRIMARY EXAMINER**  
**GROUP 2400**

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-3, 5-6, 8-10, 12-13, 15-17, 19-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over GOODENOUGH et al. (Queries and Their Application to Reasoning with Remote Sensing and GIS) in view of DRUTMAN et al. (Marine Geophysics Modeling With Geographic Information Systems).

As per claim 1, Goodenough teaches the claimed "method of obtaining a map in a computer graphics program" comprising: "receiving a request for a map picture" (Goodenough, the query to request a map that shows the forest depletion over past 20 years; page 1201, column 2, lines 55-58); "obtaining a map file" (Goodenough, a map file comprises the GIS files of the desired site dated 20 years ago, the thematic mapper (TM) and color infra-red geocoded imagery over the site; page 1201, column 2, lines 60-62); "determining, from the map file, a location of map data" (Goodenough, to determine the location of the map data related to the areas representing depleted forest cover; page 1201, column 2, lines 64-66), "wherein the map data defines one or more map objects of the map picture" (Goodenough, the depleted forest cover is the map object of the map picture; page 1201, column 2, lines 64-66); and "obtaining the map data from the location, wherein the obtained map data satisfies the request for the map picture" (Goodenough, the data from the thematic mapper is obtained to satisfy the request for the map showing the forest depletion over past 20 years; page 1203, column 1, lines

11-12). It is noted that although Goodenough teaches the GIS data in both of raster and vector formats (Abstract, lines 1-3); Goodenough does not explicitly teach that the obtained map data is "vector based" map data. However, Drutman teaches that the feature map information, such as Goodenough's depleted forest area, is preferably represented in vector based format (Drutman, representation of feature/attribute; Table II, page III-529). It would have been obvious to a person of ordinary skill in the art at the time the invention was made, in view of the teaching of Drutman, to configure Goodenough's method as claimed by storing the map representing the area's features in a vector format because the vector based data for the features or attributes of an area provides more convenient process than the raster format (Drutman, page III-528, column 2, lines 28-30).

Claim 2 adds into claim 1 "wherein only the map data required to satisfy the request is obtained" which Goodenough teaches in the obtain of the depleted forest cover (Goodenough, the data from the thematic mapper is obtained to satisfy the request for the map showing the forest depletion over past 20 years; page 1203, column 1, lines 11-12). It is noted that although Goodenough teaches the GIS data in both of raster and vector formats (Abstract, lines 1-3); Goodenough does not explicitly teach that the obtained map data is "vector based" map data. However, Drutman teaches that the feature map information, such as Goodenough's depleted forest area, is preferably represented in vector based format (Drutman, representation of feature/attribute; Table II, page III-529). It would have been obvious to a person of ordinary skill in the art at the

Art Unit: 2673

time the invention was made, in view of the teaching of Drutman, to configure Goodenough's method as claimed by storing the map representing the area's features in a vector format because the vector based data for the features or attributes of an area provides more convenient process than the raster format (Drutman, page III-528, column 2, lines 28-30).

Claim 3 adds into claim 1 "displaying the map picture" which Drutman teaches in the commands in plan A for displaying the requested image of the map showing the forest depletion over past 20 years (depletion-overlay(Site,Time); page 1202, column 1, lines 54-63).

Claim 5 adds into claim 1 "creating the map file" which Goodenough teaches in the creating and saving a file of the map that shows the forest depletion over past 20 years (save-map(forest-depletion-cover-level); page 1202, column 1, lines 54-63).

Claim 6 adds into claim 1 "setting map display properties and a level of interaction" which Goodenough teaches in the settings of display properties and levels in a file of the map! that shows the forest depletion over past 20 years (set-level(forest-level); page 1202, column 1, lines 54-63, segment(color\_ir\_image); and label\_segment(color-ir-image), page 1203, column 1, lines 6-7).

As per claim 8, Goodenough teaches the claimed "apparatus for obtaining a map computer-implemented graphics system" comprising "(a) a computer" (Goodenough, the SEIDAM intelligent system; page 1199, column 1, lines 41-46); "(b) an application executing on the computer" (Goodenough, the problem solver is written in Prolog; page 1203, column 1, lines 32-34), wherein the application is configured to: "receive a request for a map picture" (Goodenough, the query to request a map that shows the forest depletion over past 20 years; page 1201, column 2, lines 55-58); "obtain a map file" (Goodenough, a map file comprises the GIS files of the desired site dated 20 years ago, the thematic mapper (TM) and color infra-red geocoded imagery over the site; page 1201, column 2, lines 60-62); "determine, from the map file, a location of map data" (Goodenough, to determine the location of the map data related to the areas representing depleted forest cover; page 1201, column 2, lines 64-66), "wherein the map data defines one or more map objects of the map picture" (Goodenough, the depleted forest cover is the map object of the map picture; page 1201, column 2, lines 64-66); and "obtain the map data from the location, wherein the obtained map data satisfies the request for the map picture" (Goodenough, the data from the thematic mapper is obtained to satisfy the request for the map showing the forest depletion over past 20 years; page 1203, column 1, lines 11-12). It is noted that although Goodenough teaches the GIS data in both of raster and vector formats (Abstract, lines 1-3); Goodenough does not explicitly teach that the obtained map data is "vector based" map

Art Unit: 2673

data. However, Drutman teaches that the feature map information, such as Goodenough's depleted forest area, is preferably represented in vector based format (Drutman, representation of feature/attribute; Table II, page III-529). It would have been obvious to a person of ordinary skill in the art at the time the invention was made, in view of the teaching of Drutman, to configure Goodenough's method as claimed by storing the map representing the area's features in a vector format because the vector based data for the features or attributes of an area provides more convenient process than the raster format (Drutman, page III-528, column 2, lines 28-30).

Claim 9 adds into claim 8 "wherein only the map data required to satisfy the request is obtained" which Goodenough teaches in the obtain of the depleted forest cover (Goodenough, the data from the thematic mapper is obtained to satisfy the request for the map showing the forest depletion over past 20 years; page 1203, column 1, lines 11-12). It is noted that although Goodenough teaches the GIS data in both of raster and vector formats (Abstract, lines 1-3); Goodenough does not explicitly teach that the obtained map data is "vector based" map data. However, Drutman teaches that the feature map information, such as Goodenough's depleted forest area, is preferably represented in vector based format (Drutman, representation of feature/attribute; Table II, page III-529). It would have been obvious to a person of ordinary skill in the art at the time the invention was made, in view of the teaching of Drutman, to configure Goodenough's method as claimed by storing the map representing the area's features in a vector format because the vector based data for the features or attributes of an

Art Unit: 2673

area provides more convenient process than the raster format (Drutman, page III-528, column 2, lines 28-30).

Claim 10 adds into claim 8 “displaying the map picture” which Drutman teaches in the commands in plan A for displaying the requested image of the map showing the forest depletion over past 20 years (depletion-overlay(Site,Time); page 1202, column 1, lines 54-63).

Claim 12 adds into claim 8 “creating the map file” which Goodenough teaches in the creating and saving a file of the map that shows the forest depletion over past 20 years (save-map(forest-depletion-cover-level); page 1202, column 1, lines 54-63).

Claim 13 adds into claim 8 “setting map display properties and a level of interaction” which Goodenough teaches in the settings of display properties and levels in a file of the map! that shows the forest depletion over past 20 years (set-level(forest-level); page 1202, column 1, lines 54-63, segment(color\_ir\_image); and label\_segment(color-ir-image), page 1203, column 1, lines 6-7).

As per claim 15, Goodenough teaches the claimed “article of manufacture embodying logic that causes a computer-implemented graphics system to obtain a map”



Art Unit: 2673

comprising: "receiving a request for a map picture" (Goodenough, the query to request a map that shows the forest depletion over past 20 years; page 1201, column 2, lines 55-58); "obtaining a map file" (Goodenough, a map file comprises the GIS files of the desired site dated 20 years ago, the thematic mapper (TM) and color infra-red geocoded imagery over the site; page 1201, column 2, lines 60-62); "determining, from the map file, a location of map data" (Goodenough, to determine the location of the map data related to the areas representing depleted forest cover; page 1201, column 2, lines 64-66), "wherein the map data defines one or more map objects of the map picture" (Goodenough, the depleted forest cover is the map object of the map picture; page 1201, column 2, lines 64-66); and "obtaining the map data from the location, wherein the obtained map data satisfies the request for the map picture" (Goodenough, the data from the thematic mapper is obtained to satisfy the request for the map showing the forest depletion over past 20 years; page 1203, column 1, lines 11-12). It is noted that although Goodenough teaches the GIS data in both of raster and vector formats (Abstract, lines 1-3); Goodenough does not explicitly teach that the obtained map data is "vector based" map data. However, Drutman teaches that the feature map information, such as Goodenough's depleted forest area, is preferably represented in vector based format (Drutman, representation of feature/attribute; Table II, page III-529). It would have been obvious to a person of ordinary skill in the art at the time the invention was made, in view of the teaching of Drutman, to configure Goodenough's method as claimed by storing the map representing the area's features in a vector format because the vector based data for the features or attributes of an area provides

Art Unit: 2673

more convenient process than the raster format (Drutman, page III-528, column 2, lines 28-30).

Claim 16 adds into claim 15 "wherein only the map data required to satisfy the request is obtained" which Goodenough teaches in the obtain of the depleted forest cover (Goodenough, the data from the thematic mapper is obtained to satisfy the request for the map showing the forest depletion over past 20 years; page 1203, column 1, lines 11-12). It is noted that although Goodenough teaches the GIS data in both of raster and vector formats (Abstract, lines 1-3); Goodenough does not explicitly teach that the obtained map data is "vector based" map data. However, Drutman teaches that the feature map information, such as Goodenough's depleted forest area, is preferably represented in vector based format (Drutman, representation of feature/attribute; Table II, page III-529). It would have been obvious to a person of ordinary skill in the art at the time the invention was made, in view of the teaching of Drutman, to configure Goodenough's method as claimed by storing the map representing the area's features in a vector format because the vector based data for the features or attributes of an area provides more convenient process than the raster format (Drutman, page III-528, column 2, lines 28-30).

Claim 17 adds into claim 15 "displaying the map picture" which Drutman teaches in the commands in plan A for displaying the requested image of the map showing the

Art Unit: 2673

forest depletion over past 20 years (depletion-overlay(Site,Time); page 1202, column 1, lines 54-63).

Claim 19 adds into claim 15 "creating the map file" which Goodenough teaches in the creating and saving a file of the map that shows the forest depletion over past 20 years (save-map(forest-depletion-cover-level); page 1202, column 1, lines 54-63).

Claim 20 adds into claim 15 "setting map display properties and a level of interaction" which Goodenough teaches in the settings of display properties and levels in a file of the map! that shows the forest depletion over past 20 years (set-level(forest-level); page 1202, column 1, lines 54-63, segment(color\_ir\_image); and label\_segment(color-ir-image), page 1203, column 1, lines 6-7).

Claims 4, 7, 11, 14, 18, and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over GOODENOUGH et al. (Queries and Their Application to Reasoning with Remote Sensing and GIS) in view of DRUTMAN et al. (Marine Geophysics Modeling With Geographic Information Systems) as applied to claims 1, 8, and 17 above, and further in view of SLIK et al. (5,809,145).

Claim 4 adds into claim 1 "the vector based map data is obtained from a map server across a network connection" which both of Goodenough and Drutman do not teach. However, Slik teaches that the GIS information is transferable from a map server

across the Internet (Slik, column 2, lines 30-41; column 12, line 66 to column 13, line 26). It would have been obvious to a person of ordinary skill in the art at the time the invention was made, in view of the teaching of Drutman and Slik, to configure Goodenough's method as claimed by sending the map data over a network connection because the method of using the communication network to delivery the map data allows the users to search and shares a vast source of information (Slik, column 6, lines 29-41).

Claim 7 adds into claim 1 "wherein the claim steps are performed by a browser plug-in" which both of Goodenough and Drutman do not teach. However, Slik teaches that the GIS information is transferable from a map server across the Internet through "a browser plug-in" (Slik, column 12, lines 46-54). It would have been obvious to a person of ordinary skill in the art at the time the invention was made, in view of the teaching of Drutman and Slik, to configure Goodenough's method as claimed by sending the map data over a network connection through "a browser plug-in" because the method of using the browser plug-in to delivery the map data allows the users to search and shares a vast source of information (Slik, column 6, lines 29-41).

Claim 11 adds into claim 8 "the vector based map data is obtained from a map server across a network connection" which both of Goodenough and Drutman do not teach. However, Slik teaches that the GIS information is transferable from a map server across the Internet (Slik, column 2, lines 30-41; column 12, line 66 to column 13, line

Art Unit: 2673

26). It would have been obvious to a person of ordinary skill in the art at the time the invention was made, in view of the teaching of Drutman and Slik, to configure Goodenough's apparatus as claimed by sending the map data over a network connection because the method of using the communication network to delivery the map data allows the users to search and shares a vast source of information (Slik, column 6, lines 29-41).

Claim 14 adds into claim 8 "wherein the claim steps are performed by a browser plug-in" which both of Goodenough and Drutman do not teach. However, Slik teaches that the GIS information is transferable from a map server across the Internet through "a browser plug-in" (Slik, column 12, lines 46-54). It would have been obvious to a person of ordinary skill in the art at the time the invention was made, in view of the teaching of Drutman and Slik, to configure Goodenough's method as claimed by sending the map data over a network connection through "a browser plug-in" because the method of using the browser plug-in to delivery the map data allows the users to search and shares a vast source of information (Slik, column 6, lines 29-41).

Claim 18 adds into claim 15 "the vector based map data is obtained from a map server across a network connection" which both of Goodenough and Drutman do not teach. However, Slik teaches that the GIS information is transferable from a map server across the Internet (Slik, column 2, lines 30-41; column 12, line 66 to column 13, line 26). It would have been obvious to a person of ordinary skill in the art at the time the invention was made, in view of the teaching of Drutman and Slik, to configure

Art Unit: 2673

Goodenough's article of manufacture as claimed by sending the map data over a network connection because the method of using the communication network to delivery the map data allows the users to search and shares a vast source of information (Slik, column 6, lines 29-41).

Claim 21 adds into claim 15 "wherein the claim steps are performed by a browser plug-in" which both of Goodenough and Drutman do not teach. However, Slik teaches that the GIS information is transferable from a map server across the Internet through "a browser plug-in" (Slik, column 12, lines 46-54). It would have been obvious to a person of ordinary skill in the art at the time the invention was made, in view of the teaching of Drutman and Slik, to configure Goodenough's article of manufacture as claimed by sending the map data over a network connection through "a browser plug-in" because the method of using the browser plug-in to delivery the map data allows the users to search and shares a vast source of information (Slik, column 6, lines 29-41).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Phu K. Nguyen whose telephone number is (703)305 - 9796. The examiner can normally be reached on M-F 8:00-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mark Zimmerman can be reached on (703)305-9798. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 2673

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

March 1, 2005  
Phu K. Nguyen

*Phu K. Nguyen*  
**PHU K. NGUYEN**  
**PRIMARY EXAMINER**  
**GROUP 2400**